

## **REMARKS**

### **A. Status of Claims**

The Final Action of December 28, 2009 has been reviewed, and the comments of the U.S. Patent and Trademark Office have been considered. Claims 2-20, 22-24 and 50 are currently pending. Claims 2, 3 and 50 have been amended. Claims 21, 25-49 and 51-59 have been cancelled without prejudice or disclaimer. Claims 2-20, 22-24 and 50 are currently under consideration. Favorable reconsideration of this application is respectfully requested.

### **B. Support for Amendments to Claims 2, 3 and 50**

Support for the amendments to Claims 2, 3 and 50 may be found in the specification at paragraphs [0013]<sup>1</sup>, [0040], [0079] and [0175] in the Abstract, in the drawings in FIGS. 2A, 3A, 3B and 4.

### **C. Examiner Interviews**

Applicants wish to thank Examiners Patel and Ward for the courtesies extended to Applicants' representative during the Examiner Interviews on February 24, 2010 (February 24, 2010 Examiner Interview) and March 17, 2010 (March 17, 2010 Examiner Interview). During the February 24, 2010, Examiner Interview, the Examiners requested that the Applicants submit proposed claims amendments for discussion purposes that clarified the scope of the claimed invention. Accordingly, Applicants faxed to Examiner Patel the above claim amendments to Claims 2, 3 and 50 and an Exhibit (Exhibit 1 attached to the present Amendment) to illustrate the claimed invention.

During the March 17, 2010, Examiner Interview, Examiner Patel confirmed that Claims 2-20, 22-24 and 50 as amended above are in condition for allowance. On March 25, 2010, Applicants' representative reconfirmed with Examiner Patel that Claims 2-20, 22-24 and 50 as amended above are allowable.

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<sup>1</sup> All citations to the specification are to U.S. Patent Application No. 2008/0245843 published October 9, 2008.

**D. Response to Rejection of Claims 25, 51 and 54-58 under 35 U.S.C. § 102(a) as Being Anticipated by Yamauchi.**

At Sections 1 and 2 of the Final Action, Claims 25, 51 and 54-58 are rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Application No. 2004/0169020 to **Yamauchi**, (hereafter “**Yamauchi**”).<sup>2</sup> This rejection has been rendered moot by the cancellation of Claims 25, 51 and 54-58.

**E. Response to Rejection of Claims 2, 5-6, 8, 15, 17, 19, 22-25 and 50 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi and Yamauchi**

At Sections 3 and 4 of the Final Action, Claims 2, 5-6, 8, 15, 17, 19, 22-25 and 50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gösele et al., “What determines the lateral bonding in silicon wafer bonding?”, App. Phys. Lett. 67 (6), 7 August 1995 (hereafter “**Gösele**”) in view of Takagi, et al., “Room-temperature bonding of lithium niobate and silicon wafers by argon-beam surface activation”, App. Phys. Lett. 74 (16), 19 August 1999 (hereafter “**Takagi**”) and further in view of **Yamauchi**.<sup>3</sup> With respect to Claim 25, this rejection has been rendered moot by the cancellation of this claim. With respect to Claims 2, 5-6, 8, 15, 17, 19, 22-24 and 50, this rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claims 2, 5-6, 8, 15, 17, 19, 22-24 and 50, as currently presented, are in condition for allowance.

**F. Response to Rejection of Claims 3, 4 and 14 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in view of Takagi, Yamauchi and Gilleo**

At Section 5 of the Final Action, Claims 3, 4 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele** in view of **Takagi** and **Yamauchi**, and further in view of U.S. Pat. No. 5,971,253 to Gilleo *et al.* (hereafter “**Gilleo**”).<sup>4</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claims 3, 4 and 14, as currently presented, are in condition for allowance.

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<sup>2</sup> See Final Action, pp. 2-3. As indicated at Section 2 of the Final Action, p.2, U.S. Patent Application No. 2004/0169020 is taken as an equivalent of WO 2003/001858.

<sup>3</sup> See Final Action, pp. 3-9.

<sup>4</sup> See Final Action, pp. 9-10.

**G. Response to Rejection of Claim 7 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi, Yamauchi and Linn**

At Section 6 of the Final Action, Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele** in view of **Takagi** and **Yamauchi**, as applied to Claim 6, and further in view of U.S. Pat. No. 5,833,758 to Linn et al. (hereafter “**Linn**”).<sup>5</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claim 7, as currently presented, is in condition for allowance.

**H. Response to Rejection of Claims 9 and 10 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi, Yamauchi, Linn and Usui ‘551**

At Section 7 of the Final Action, Claims 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele** in view of **Takagi** and **Yamauchi**, as applied to Claim 2, and further in view of **Linn** and U.S. Patent Application No. 2004/0140551 to Usui et al. (hereafter “**Usui ‘551**”).<sup>6</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claims 9 and 10, as currently presented, are in condition for allowance.

**I. Response to Rejection of Claims 13 and 18 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi, Yamauchi and Suga**

At Section 8 of the Final Action, Claims 13 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele** in view of **Takagi** and **Yamauchi**, as applied to Claim 2, and further in view of U.S. Patent Application No. 2003/0164396 to Suga et al. (hereafter “**Suga**”).<sup>7</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claims 13 and 18, as currently presented, are in condition for allowance.

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<sup>5</sup> See Final Action, pp. 10-11.

<sup>6</sup> See Final Action, pp. 11-12.

<sup>7</sup> See Final Action, pp. 12-13.

**J. Response to Rejection of Claim 16 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi, Yamauchi, and Usui ‘353**

At Section 9 of the Final Action, Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele** in view of **Takagi** and **Yamauchi**, as applied to Claim 15, and further in view of U.S. Pat. No. 5,686,353 to Usui et al. (hereafter “**Usui ‘353**”).<sup>8</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claim 9, as currently presented, is in condition for allowance.

**K. Response to Rejection of Claims 11, 12 and 20 under 35 U.S.C. § 103(a) as Being Unpatentable over Gösele in View of Takagi, Yamauchi and Yagi**

At Section 10 of the Final Action, Claims 11, 12 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Gösele**, in view **Takagi** and **Yamauchi**, as applied to Claims 2 and 19, respectively, and further in view of U.S. Patent No. 5,686,353 to Yagi et al. (hereafter “**Yagi**”).<sup>9</sup> This rejection has been rendered moot by the above amendments to the claims. For the reasons discussed above, Claims 11, 12 and 20, as currently presented, are in condition for allowance.

**L. Response to Rejection of Claims 52, 53 and 59 under 35 U.S.C. § 102(b) as Being Unpatentable Yamauchi in View of Gilleo**

At Section 11 of the Final Action, Claims 52, 53 and 59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Yamauchi** in view of **Gilleo**.<sup>10</sup> This rejection has been rendered moot by the cancellation of Claims 52, 53 and 59.

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<sup>8</sup> See Final Action, pp. 13-14.

<sup>9</sup> See Final Action, pp. 14-15.

<sup>10</sup> See Final Action, pp. 15-16. As indicated at Section 2 of the Final Action, p.2, U.S. Patent Application No. 2004/0169020 is taken as an equivalent of WO 2003/001858.

## **CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this Application and the prompt allowance of all pending claims currently under consideration. Applicants also respectfully request that upon allowance of the claims currently under consideration, all currently pending claims that have been withdrawn and which depend from an allowed claim be reinstated and allowed.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Ajay A. Jagtiani at (202) 312-3380 to expedite prosecution of the application.

The Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to **Deposit Account 22-0259**.

Respectfully submitted,

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# EXHIBIT 1

Application No. 10/586,690  
EXHIBIT 1

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minute irregularities FIG. 2A

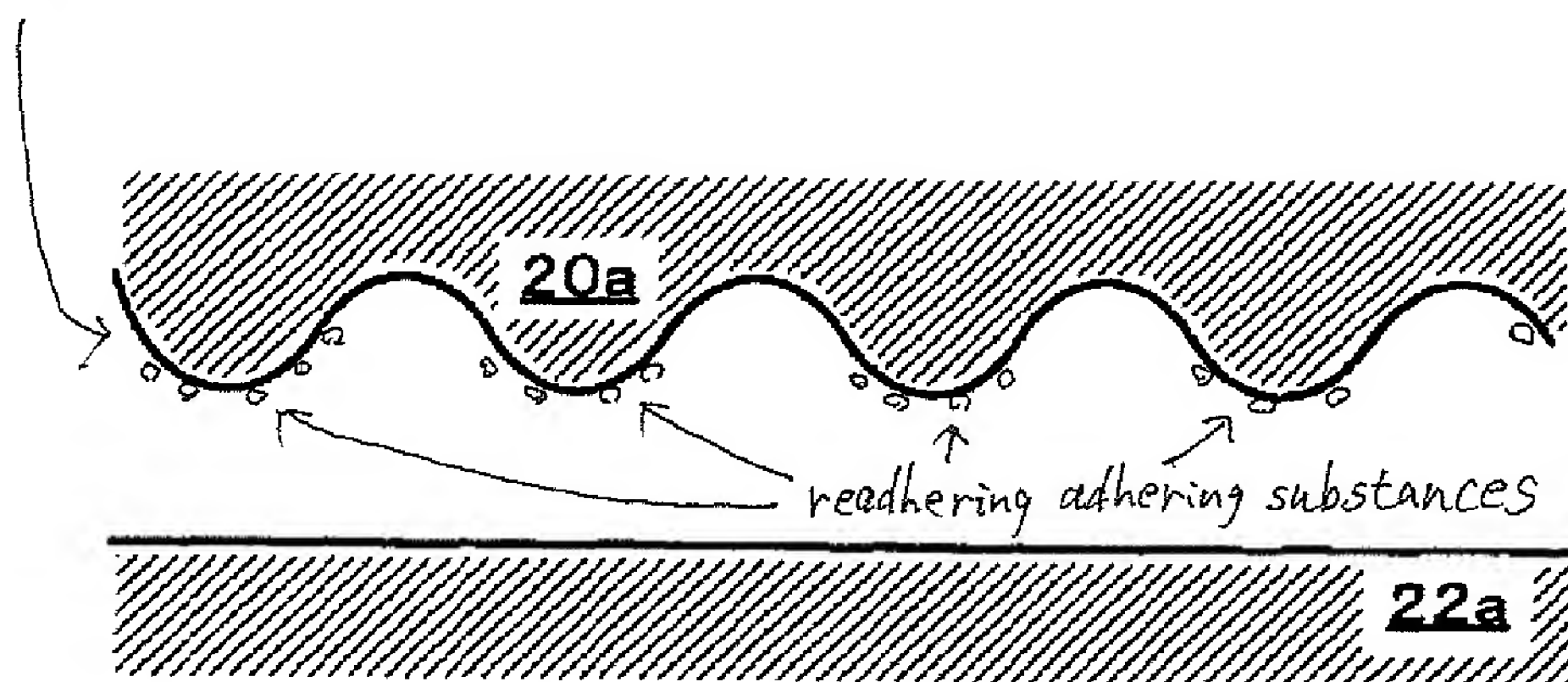


FIG. 2B

